

REMARKS

The present amendment is submitted in response to the Office Action dated February 8, 2006, which set a three-month period for response, making this amendment due by May 8, 2006.

Claims 1-14 are pending in this application.

In the Office Action, claims 1-6 and 10 were rejected under 35 U.S.C. 102(b) as being anticipated by JP 2002-151128 to Masashi. Claims 1, 5, 9 and 12-14 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,609,582 to Botti et al.

The Applicants note with appreciation the allowance of claims 8 and 11, if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

In the present amendment, independent claims 1 and 12 have been amended to more clearly define the present invention over the Botti and Masashi references by defining additionally that the combustion device is in the form of an internal combustion engine of a vehicle. Neither of the cited references shows a combustion device designed as a combustion engine of a vehicle having at least one exhaust gas line, whereby one heat exchanger is arranged in the at least one exhaust line.

Regarding the rejection of claim 3, the Examiner argues that Masashi teaches the use of a hydrocarbon-containing mixture. On the contrary, however, Masashi teaches the use of methanol, which is not a hydrocarbon. Attached

hereto for the Examiner's reference is a copy of an excerpt of Wikipedia relating to hydrocarbons.

With regard to claim 7, claim 7 has been rewritten in independent form. Because the Examiner did not offer specific grounds for rejection of claim 7 in the Office Action, it is believed that claim 7 in its amended form is allowable.

Finally, claim 10 has been rewritten in independent form, but also adds the feature that the claimed heat reservoir is a latent heat reservoir. Masashi does not disclose any heat reservoir for storing heat. The evaporator disclosed by Masashi does not store heat, but transfers heat from a heating fluid to evaporate water and methanol. Therefore, amended claim 10 also should be allowable over the cited references.

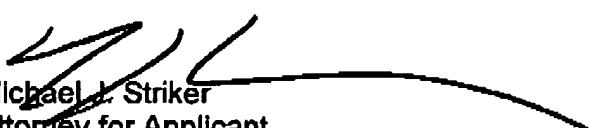
Because the amended claims include features that are not disclosed or suggested by the cited references, the rejections under 35 U.S.C. 102 should be withdrawn. A prior art reference anticipates a claim only if the reference discloses, either expressly or inherently, every limitation of the claim. Absence from the reference of any claimed element negates anticipation. *Row v. Dror*, 42 USPQ 2d 1550, 1553 (Fed. Cir. 1997).

For the reasons set forth above, the Applicants respectfully submit that all of claims 1-14 are patentable over the cited art. The Applicants further request withdrawal of the rejections under 35 U.S.C. 102 and reconsideration of the claims as herein amended.

In light of the foregoing amendments and arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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